

SA:LAL  
F.#2013R001335

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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

JENA SOWINSKI,

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

DAVID HINES, being duly sworn, deposes and states that he is a Special Agent with the Department of Homeland Security, Office of the Inspector General ("DHS-OIG"), duly appointed according to law and acting as such.

Upon information and belief, on or about November 6, 2012, within the Eastern District of New York, the defendant JENA SOWINSKI, made and presented to the Federal Emergency Management Agency a claim against the United States for payment, which she knew to be false, fictitious and fraudulent, by filing a disaster assistance claim in which she represented that at the time of Hurricane Sandy she was living at 598 Meadowbrook Road, Merrick, New York, and that this residence was damaged by the storm.

(Title 18, United States Code, Section 287)

SEALED COMPLAINT AND  
AFFIDAVIT OF APPLICATION  
IN SUPPORT FOR  
ARREST WARRANT  
(T. 18 U.S.C. § 287)

The source of your deponent's information and the grounds for this belief are as follows:<sup>1</sup>

1. The Federal Emergency Management Agency ("FEMA"), an agency of the United States Department of Homeland Security, administers relief under the legal authority of Title 44 of the Code of Federal regulations. Disaster assistance is made available after the President of the United States declares that a major disaster has occurred in a specified area.

2. Assistance to individuals is available under the Individual and Household Assistance Program ("IHP") which provides grants, funded by the United States Government, to people in the disaster area when losses are not covered by insurance and property has been damaged or destroyed. IHP requires that the disaster assistance applicant was unable to live in his or her primary residence due to disaster-related conditions in order to receive rental assistance benefits.

3. In order to receive assistance under the IHP, the applicant must register with FEMA and provide FEMA personnel basic information, such as identifying personal data and the location of the damaged dwelling. The applicant will be asked to verify that the damaged dwelling was, in fact, his or her primary residence, as well as provide information concerning the household composition.

4. On October 30, 2012, the President of the United States Barack Obama issued a major disaster declaration under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 et seq., following landfall of Hurricane Sandy on the

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<sup>1</sup> Because the purpose of this Complaint is to state only probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

State of New York. The disaster was identified by FEMA as disaster number 4085-Hurricane Sandy.

5. On November 6, 2012, FEMA Form 009-0-1 Application/Registration for Disaster Assistance was filed in the name of JENA SOWINSKI. The damaged property address was identified as 111 Express Street, Plainview, New York. JENA SOWINSKI's current mailing address was identified as 598 Meadowbrook Road, 1<sup>st</sup> floor, Merrick, New York. The application listed JENA SOWINSKI and Bryan P. Sowinski as occupants of the home.

6. On or about December 2, 2012, JENA SOWINSKI contacted FEMA and requested that the damaged property address be changed to 598 Meadowbrook Road, 1<sup>st</sup> floor, Merrick, New York. The property was described as a rental property and JENA SOWINSKI's primary residence. On or about January 17, 2013, JENA SOWINSKI notified FEMA that the post-disaster address was 15B Park Manor Court, Glen Cove, New York.

7. Based on JENA SOWINSKI's application, FEMA disbursed:

1) \$2,570 for rental assistance via electronic funds transfer on December 10, 2012 to JENA SOWINSKI's checking account at GEICO Federal Credit Union; 2) \$3,855 via electronic funds transfer on January 30, 2013 to JENA SOWINSKI's checking account at Citibank for Rental Assistance; 3) \$4,183.30 via electronic funds transfer on February 25, 2013 to JENA SOWINSKI's checking account at Citibank for Personal Property; 4) \$1,975 via electronic funds transfer on March 18, 2013 to JENA SOWINSKI's checking account at Citibank for Rental Assistance; 5) \$1,650 via electronic funds transfer on April 17, 2013 to JENA SOWINSKI's checking account at Citibank for Rental Assistance; and 6) \$4,050 via electronic funds transfer on May 29, 2013 to JENA SOWINSKI's checking account at Citibank for Rental Assistance. JENA

SOWINSKI received disaster assistance funds totaling \$18,283.30 for Rental and Personal Property Assistance.

8. On or about January 9, 2013, and thereafter, JENA SOWINSKI submitted documents to FEMA in support of her application that were purportedly authored and signed by the owner of the damaged property located at 598 Meadowbrook Road, 1<sup>st</sup> floor, Merrick. The documents submitted by JENA SOWINSKI included rent payments, itemized personal property losses, and an explanation for the necessity for JENA SOWINSKI relocating to a post-disaster residence due to disaster-related damages.

9. FEMA confirmed with the Nassau County Clerk Mortgages and Deeds Office that the property located at 598 Meadowbrook Road, Merrick New York was owned by Michelle Persaud (the "Owner"). In order to verify JENA SOWINSKI's occupancy and disaster related damages I contacted the Owner of 598 Meadowbrook Road, Merrick. The Owner verified that JENA SOWINSKI had been a tenant at 598 Meadowbrook Road, 1<sup>st</sup> floor, Merrick New York for approximately seven years pursuant to a month-to-month verbal lease agreement. The Owner stated, in sum and substance, that Hurricane Sandy caused minor landscape damage which was limited to downed tree branches and shrubs but 598 Meadowbrook Road, 1st floor, Merrick New York sustained no structural or flood damage.

10. The Owner was shown several documents submitted by JENA SOWINSKI in support of her FEMA application, purportedly authored and signed by the Owner of the damaged property located at 598 Meadowbrook Road, 1st floor, Merrick. The documents included rent receipts, leases, and letters which were purportedly signed in the name of the Owner.

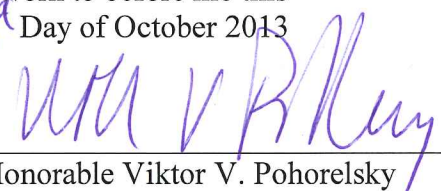
The Owner stated, in sum and substance, that she did not sign or otherwise authored the documents.

WHEREFORE, your deponent respectfully requests that the defendant JENA SOWINSKI, be dealt with according to law.

Furthermore your deponent respectfully requests that this affidavit, arrest warrant and any other papers submitted in support of this application be sealed until further order of the Court so as to prevent notifying the defendant of the pending warrant, which could result in his destruction of evidence and/or alteration of travel plans to avoid arrest.

  
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DAVID HINES  
Special Agent  
Department of Homeland Security

Sworn to before me this  
23<sup>rd</sup> Day of October 2013

  
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Honorable Viktor V. Pohorelsky  
United States Magistrate Judge  
Eastern District of New York